

Arguments / Remarks

Claims 1-20 remain in the application. Of these, claims 1-7, 10-16, 19 and 20 stand rejected; and claims 8, 9, 17 and 18 stand objected to.

1. Oath / Declaration

The Examiner indicates:

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§602.01 and 602.02.

The oath or declaration is defective because; on page 2, there is a space in inventor's name

6/24/2005 Office Action, *Oath/Declaration*, p. 1.

Applicants reviewed page 2 of the *Declaration and Power of Attorney* and found the second named inventor, Dean Ralph Enix, to be correctly listed. No superfluous spaces or other defects were found. Applicants request removal of the requirement for a new oath or declaration.

2. Claim Rejections – 35 USC §102

Claims 1-7, 10-16, 19 and 20 stand rejected under 35 U.S.C. 102(e) as being anticipated by Colby et al. (US Pat. No.: 6,622,271; hereafter "Colby").

Applicants' claim 1 recites:

Apparatus, comprising:

computer readable media; and
program code, stored on the computer readable media, comprising:
code to define a user interface;

code to detect invalid test definition data in user input and, upon detection of invalid test definition data, prompt a user to select a valid data option from a set of valid data options; said prompting being undertaken through the user interface; and
code to receive a valid data option selected through the user interface, and to update the invalid test definition data with the valid data option.

With respect to applicants' claim 1, the Examiner asserts that Colby teaches, "code to. . .prompt a user to select a valid data option from a set of valid data options. . .(col. 4, lines 54-67 to col. 5, lines 1-4; col. 11, lines 45-55; col. 12, lines 20-29)". See, 6/24/2005 Office Action, p. 1. Applicants respectfully disagree.

Colby teaches, for example:

If a problem is detected [with a test definition], then a warning message is provided to the operator, so that appropriate adjustments can be made to the test definition 73. After any appropriate adjustments are made, the resulting test definition 73 is stored in each of the testers 17 and 18, in particular at 107 and 207, respectively.

Colby, col. 11, lines 52-57.

If any errors are detected, the interpreter program 131 will provide the operator with an identification of those errors. ***The operator has the capability to carry out certain debug functions of a standard type, such as setting breakpoints, dynamically changing the values of variables,*** and so forth. Further, the operator can instruct the interpreter program 131 to make changes to the modified test definition 301, for example to correct errors which were present in the initial test definition 73, or to implement special test conditions to help identify an elusive problem in a particular device 12.

Colby, col. 12, lines 20-29 (emphasis added).

Although the emphasized portions of Colby's teachings indicate that Colby enables a user to dynamically change the value of an incorrect variable, this does not suggest that a user is ***prompted to select a valid data option***, as is set forth in applicants' claim 1. Prompting a user to select a valid data option is

not only novel and unobvious over Colby's teachings, but it is especially useful because, as noted in applicants' specification, "Discerning the type of data that must be supplied to "cure" [an] error can be a laborious and time-consuming task." See, applicants' specification, p. 2, lines 1-2.

Applicants' claim 1 is believed to be allowable for at least the above reason. Applicants' claim 14 is believed to be allowable for reasons similar to why claim 1 is believed to be allowable. Applicants' claims 2-7, 10-13, 15 and 16 are believed to be allowable at least for the reason that they depend from applicants' claim 1 or 14.

Applicants' claim 19 is believed to be allowable at least for the reason that Colby does not teach "...and then ii) caus[ing] a set of valid data options retrieved from said string table *to be displayed to a user for user selection.*" Similarly to Colby's failure to teach "prompting" a user with valid data options, Colby also fails to "display" valid data options for user selection.

Applicants' claim 20 is believed to be allowable at least for the reason that it depends from applicants' claim 19.

3. Allowable Claims

Applicants appreciate the Examiner's indication that claims 8, 9, 17 and 18 are allowable but for their dependence upon a rejected base claim. However, applicants prefer to leave their claims in their current form until the Examiner has considered the above arguments.

4. Conclusion

In summary, the art of record does not teach nor suggest the subject matter of applicants' claims 1-20. These claims are therefore believed to be allowable.

Respectfully submitted,
DAHL & OSTERLOTH, L.L.P.

By: 

Gregory W. Osterloth
Reg. No. 36, 232
Tel: (303) 291-3200